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**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,	)	
	)	
Plaintiff,	)	
	)	
v.	)	2:13-CR-429-KJD-(NJK)
	)	
JOHN I. SARMIENTO,	)	
	)	
Defendant.	)	

**PRELIMINARY ORDER OF FORFEITURE**

This Court finds that on February 24, 2015, defendant JOHN I. SARMIENTO pled guilty to a One-Count Superseding Criminal Information charging him with Attempt Transfer Obscene Material to Minor in violation of Title 18, United States Code, Section 1470. Superseding Criminal Information, ECF No. 42; Change of Plea, ECF No. 44; Plea Agreement, ECF No. 43

This Court finds defendant JOHN I. SARMIENTO agreed to the forfeiture of the property set forth in the Plea Agreement and the Forfeiture Allegations of the Superseding Criminal Information. Superseding Criminal Information, ECF No. 42; Change of Plea, ECF No. 44; Plea Agreement, ECF No. 43.

This Court finds, pursuant to Fed. R. Crim. P. 32.2(b)(1) and (2), the United States of America has shown the requisite nexus between property set forth in the Plea Agreement and the Forfeiture Allegations of the Superseding Criminal Information and the offense to which defendant JOHN I. SARMIENTO pled guilty.

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1 The following assets are subject to forfeiture pursuant to Title 18, United States Code, Section  
2 (a)(1), (a)(3), and (b):

- 3 a) One (1) HP Tower desktop computer (Serial #3cr0190H50);
- 4 b) One (1) Masscool external hard-drive (Serial # unknown);
- 5 c) Two (2) Apple iPhone wireless telephones (Serial # unknown);
- 6 d) One (1) Apple iPad (Serial # unknown); and
- 7 e) One (1) red 2002 Chevrolet Camaro, VIN 2G1FP22G822133496, Nevada License plate  
8 # IKNO

9 (all of which constitutes "property").

10 This Court finds the United States of America is now entitled to, and should, reduce the  
11 aforementioned property to the possession of the United States of America.

12 NOW THEREFORE, IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that the  
13 United States of America should seize the aforementioned property.

14 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED all right, title, and interest of  
15 JOHN I. SARMIENTO in the aforementioned property is forfeited and is vested in the United States of  
16 America and shall be safely held by the United States of America until further order of the Court.

17 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the United States of America shall  
18 publish for at least thirty (30) consecutive days on the official internet government forfeiture website,  
19 www.forfeiture.gov, notice of this Order, which shall describe the forfeited property, state the time under  
20 the applicable statute when a petition contesting the forfeiture must be filed, and state the name and  
21 contact information for the government attorney to be served with the petition, pursuant to Fed. R. Crim.  
22 P. 32.2(b)(6) and Title 21, United States Code, Section 853(n)(2).

23 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that any individual or entity who  
24 claims an interest in the aforementioned property must file a petition for a hearing to adjudicate the  
25 validity of the petitioner's alleged interest in the property, which petition shall be signed by the petitioner  
26 under penalty of perjury pursuant to Title 21, United States Code, Section 853(n)(3) and Title 28, United

1 States Code, Section 1746, and shall set forth the nature and extent of the petitioner's right, title, or  
2 interest in the forfeited property and any additional facts supporting the petitioner's petition and the relief  
3 sought.

4 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a petition, if any, must be filed  
5 with the Clerk of the Court, 333 Las Vegas Boulevard South, Las Vegas, Nevada 89101, no later than  
6 thirty (30) days after the notice is sent or, if direct notice was not sent, no later than sixty (60) days after  
7 the first day of the publication on the official internet government forfeiture site, [www.forfeiture.gov](http://www.forfeiture.gov).

8 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a copy of the petition, if any, shall  
9 be served upon the Asset Forfeiture Attorney of the United States Attorney's Office at the following  
10 address at the time of filing:

11 Michael A. Humphreys  
12 Assistant United States Attorney  
13 Daniel D. Hollingsworth  
14 Assistant United States Attorney  
15 Lloyd D. George United States Courthouse  
16 333 Las Vegas Boulevard South, Suite 5000  
17 Las Vegas, Nevada 89101.

18 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the notice described herein need  
19 not be published in the event a Declaration of Forfeiture is issued by the appropriate agency following  
20 publication of notice of seizure and intent to administratively forfeit the above-described property.

21 DATED this 24<sup>th</sup> day of February 2015.

22   
23 \_\_\_\_\_  
24 UNITED STATES DISTRICT JUDGE  
25  
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